

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

LEVESTER HUNT,	:	
Petitioner,	:	1:04-CV-62 (WLS) 28 U.S.C. § 2255
v.	:	1:00-CR-10 (WLS)
UNITED STATES OF AMERICA,	:	
Respondent.	:	

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**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge G. Mallon Faircloth, filed March 21, 2006. (Doc. 57). It is recommended that Petitioner's Motion to Vacate, Set Aside, or Correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. 40) be **GRANTED**. *Id.* No objection has been filed.

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 57) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Petitioner's original sentence is hereby **VACATED**. The United States Probation Office is hereby **ORDERED** to submit an Amended Pre-sentence Investigation Report to the Court. The Office of the Federal Public Defender is hereby appointed to represent Petitioner at the Re-sentencing Hearing. Additionally it is hereby **ORDERED** that Petitioner be brought before the Court for re-sentencing. The date of Petitioner's new Sentencing Hearing will be determined and ordered by the Court after receipt of the Amended Pre-sentencing Report.

**SO ORDERED**, this 21<sup>st</sup> day of May, 2008.

/s/W. Louis Sands  
**THE HONORABLE W. LOUIS SANDS,**  
**UNITED STATES DISTRICT JUDGE**